

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Lam Tung Dang,

Plaintiff(s),

vs.

Loancare, LLC, et al.,

Defendant(s).

2:25-cv-00355-MMD-MDC

**ORDER DENYING PLAINTIFF’S
PROPOSED DISCOVERY PLAN (ECF NO.
18) AND DENYING DEFENDANT’S
PROPOSED DISCOVERY PLAN (ECF NO.
19)**

The Court has reviewed the parties’ *Proposed Discovery Plans and the Joinders*. ECF Nos. 18, 19, 20, and 21. The Court recently dismissed plaintiff’s case with leave to refile by July 6, 2025 if he wishes to assert a claim pursuant to the Real Estate Settlement Procedures Act. ECF No. 23. The Court DENIES both proposed plans. ECF Nos. 18 and 19.

The pro se plaintiff filed a document called a joint status report, but the defendants did not join the report: the status report is in fact the plaintiff’s unilateral proposed discovery plan. ECF No. 18. The defendants filed their own proposed discovery plan, but in the proposal, the defendants essentially argue that the discovery should be stayed, though the defendants also propose an alternative discovery plan if discovery is not stayed. ECF No. 19.

Local Rule 26-1 states that, “The pro se plaintiff or plaintiff’s attorney must initiate the scheduling of the conference required by Fed. R. Civ. P. 26(f) to be held within 30 days after the first defendant answers or otherwise appears. Fourteen days after the mandatory Fed. R. Civ. P. 26(f) conference, the parties must submit a stipulated discovery plan and scheduling order.” The pro se plaintiff failed to initiate the scheduling conference as required by the rules. Considering plaintiff’s pro se status, the Court extends the deadline to hold the scheduling conference to two weeks after the

1 plaintiff files an amended complaint pursuant to the Court's order (if the plaintiff chooses to amend).
2 The Court directs the parties to file the joint discovery plan two weeks after the plaintiff files an
3 amended complaint. A joint discovery plan means that the parties have conferred and agree on the dates.
4 If the defendants wish to stay discovery, they should file a motion to stay discovery after the plaintiff
5 amends, so that the plaintiff can respond to the motion.

6 **It is so Ordered:**

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- 8 1. Plaintiff's *Proposed Discovery Plan* (ECF No. 18) is **DENIED**. Plaintiff may refile a joint
9 discovery plan after he files an amended complaint, if he chooses to amend, as discussed in this
10 Order.
 - 11 2. Defendant's *Proposed Discovery Plan* (ECF No. 19) is **DENIED** for the reasons discussed in
12 this Order. The defendants may file a motion to stay discovery after the plaintiff amends.
 - 13 3. The parties shall file a joint proposed discovery plan on or before **August 6, 2025**.

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15 IT IS SO ORDERED.

16 Date: June 20, 2025

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18 Hon. Maximiliano D. Couvillier III
19 United States Magistrate Judge
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